

DISCLAIMER OF INTEREST

Berrum v. Coffman, et al., Cause No. DV-07-86

Township 2 South, Range 10 East, PMM

Section 18: A 0.24-acre tract of land located within
Block 130 of the Riverside Addition of the City of Livingston

Thomas R. Berrum has brought a suit to quiet title to a tract of land adjacent to and within the abandoned north channel of the Yellowstone River in Livingston, Montana. The disputed land consists of a 0.24 acre-tract located within Block 130 of the Riverside Addition of the City of Livingston. The suit is filed in State District Court (Cause No. DV-07-86, Montana Sixth Judicial District Court, Park County).

The Department has reviewed the factual allegations within the Complaint and has concluded the State of Montana has no claim to the disputed lands (see attached aerial photo). The Department therefore requests Board authorization to file the attached disclaimer of interest to resolve the State's interest in the above-described quiet title action.



DISCLAIMER OF INTEREST FROM THE STATE OF MONTANA

THE STATE OF MONTANA, acting by and through the State Board of Land Commissioners, whose address is P.O. Box 201601, Helena, Montana 59620-1601, does hereby disclaim any interest in or to the following-described real property located in Park County, Montana, to wit:

Description: Lots 3, 4 and 5

A tract of land located in Block 130 of the Riverside Addition of the City of Livingston, of Section 18, Township 2 South, Range 10 East, P.M.M., County of Park, State of Montana, more particularly described as follows:

BEGINNING at the northwest corner of Block 130; thence North 52° 18' 37" East, 139.88 feet to the west boundary of the alley of said block; thence North 52° 24' 14" East, 20.00 feet to the east boundary of said alley being the northwest corner of Lot 1 of said block; thence along the east boundary of said alley South 37° 42' 30" East, 50.00 feet to the northwest corner of Lot 3 being the true Point of Beginning; thence South 37° 42' 30" East, 75.00 feet to a point; thence leaving said alley boundary North 52° 24' 14" East, 139.89 feet to a point; thence North 37° 42' 30" West, 75.00 feet to a point; thence South 52° 24' 14" West, 84.93 feet to a point on the south boundary of Lot 2; thence South 52° 24' 14" West, 54.96 feet to the Point of Beginning, containing 10,492 square feet or 0.24 acres.

TOGETHER WITH AND SUBJECT TO all easements of record or apparent from visual inspection of the land.

All according to Certificate of Survey No. 2042 on record in the office of the Clerk and Recorder of said county.

IN TESTIMONY WHEREOF the State of Montana has caused these presents to be executed by the Governor and attested by the Secretary of State and countersigned by the Director of the Montana Department of Natural Resources and Conservation, and the Great Seal of the State and the Seal of the State Board of Land Commissioners to be hereunto affixed this ____ day of _____, 2007.

By: _____

BRIAN SCHWEITZER
Governor of the State of Montana

Attest: _____

BRAD JOHNSON
Secretary of State

Countersigned by: _____

MARY SEXTON
Director, Montana Department of
Natural Resources & Conservation

STATE OF MONTANA)

: ss

County of Park)

Document No. _____

Filed for record this ____ day of _____, 2007 at ____ O'clock ____ M.,
recorded in Book ____ of deeds on Pages ____ of the records of the Park County
Clerk and Recorder.

Clerk & Recorder

By: _____,
Deputy